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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/490,354	01/24/2000	Noriya Kobayashi	UCSD	7055
24978	7590	11/15/2005	EXAMINER	
GREER, BURNS & CRAIN 300 S WACKER DR 25TH FLOOR CHICAGO, IL 60606			ZAND, KAMBIZ	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/490,354	<b>Applicant(s)</b> KOBAYASHI ET AL.	
	<b>Examiner</b> Kambiz Zand	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-30, 32-45 and 48-55 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1, 8, 24, 30, 32-45 and 48-55 is/are rejected.  
7) ☒ Claim(s) 2-7, 9-23 and 25-29 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 31 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 08/15/2005.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims 31, 46 and 47 have been cancelled.
4. Claims 1, 8, 9, 17, 18, 23-30, 33, 38 and 45 have been amended.
5. Claims 1-30, 32-45 and 48-55 are pending.
6. Examiner withdraws objection to the drawings and specification due to correction by the applicant.
7. Examiner withdraws rejection of claims under 35 U.S.C 112-second paragraphs due to correction by the applicant.

### ***Information Disclosure Statement PTO-1449***

8. The Information Disclosure Statement submitted by applicant on 08/15/2005 has been considered. Please see attached PTO-1449.

### ***Response to Arguments***

9. Applicant's arguments filed on 08/31/2005 have been considered but they are not persuasive.

- Applicant's arguments are based on where the location of process takes place such as which terminal, consumer, merchant or the third party. However Examiner considers that Rosen in View of Mengin disclose the process itself as it has been detailed in the first office action. Therefore it would have been obvious that when such process is being taught it can be copied or processed by any entity within the networking environment. Switching a process from one location to another is not Novel nor an inventive step over Prior Art of records. For Example, the process of Hashing, Digital Signature, Digital Certification are all well-known process in the art (please see any computer dictionary in that regards).
- Examiner has given weight to the Applicant's amendment and arguments and it is valid in the light of the objected claims below.
- Examiner however would reconsider if applicants clearly state what exactly applicant's process solve over the prior art since the summary of the invention are not defined such a process. Also Rosen in view of Mengin do disclose random numbers and digital signature and hashing. Applicant's arguments that Rosen do not disclose the number R as random number are not persuasive since the naming of random numbers is not novel nor an inventive step, it is just a preference of applicant for naming the a "random number".
- Examiner strongly suggest applicant to distinguishes the applicant's invention over prior art in a clear manner, and disclose arguments concentrating on applicant's inventive processes over Rosen in View of Mengin in harmony with

the claim's language or amending the claims that such a process becomes clear in harmony with the arguments that will be presented. However such amendments should not raise new issues that necessitate further search or consideration.

***Claim Rejections - 35 USC § 102***

10. **Claims 38-45 and 51-55** are rejected under 35 U.S.C. 102(e) as being anticipated by Mengin et al (us2002/0095383 A1).

**As per claims 38-45 and 51-55** please see the last office action as examiner maintain **the previous Examiner's office action** in that regard and in the light of the above arguments that deals with applicant's amendments and arguments.

***Claim Rejections - 35 USC § 103***

11. **Claims 1, 8, 24, 30, 32-37, 48, 49 and 50** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen; and with respect to 48 in view of Mengin et al. Please see the last office action as examiner maintain **the previous Examiner's office action** in that regard.

***Allowable Subject Matter***

12. **Claims 2-7, 9-23 and 25-29** would be allowable if rewritten as independent claims to include all of the limitations of the base claim and any intervening claims.

**Conclusion**

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (571)

Art Unit: 2132

272-3811. The examiner can normally be reached on Monday-Thursday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone numbers for the organization where this application or proceeding is assigned are 571-272-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

11/14/2005

AU 2132



Fig 1-3  
approved

11/23/05 wt

SYSTEM AND METHOD FOR DELIVERING...  
Kobayashi et al.  
Greer Burns & Crain, Ltd.  
Reference No.: 0321.67683  
Replacement FIG. 1

August 29, 2005  
Serial No. 09/490,354  
(Steven P. Fallon)  
(312) 360-0080

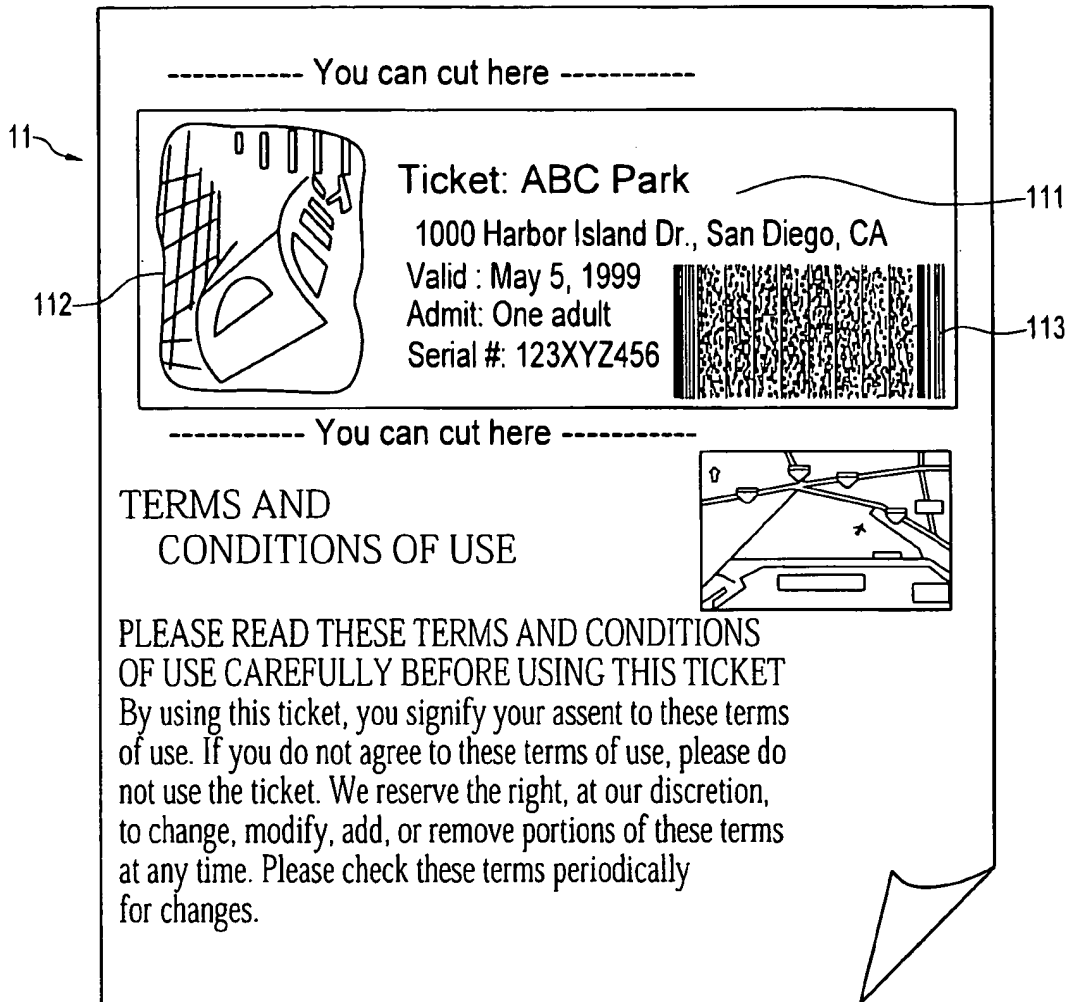


FIG. 1





SYSTEM AND METHOD FOR DELIVERING...  
Kobayashi et al.  
Greer Burns & Crain, Ltd.  
Reference No.: 0321.67683  
Replacement FIGs. 2-3

August 29, 2005  
Serial No. 09/490,354  
(Steven P. Fallon)  
(312) 360-0080

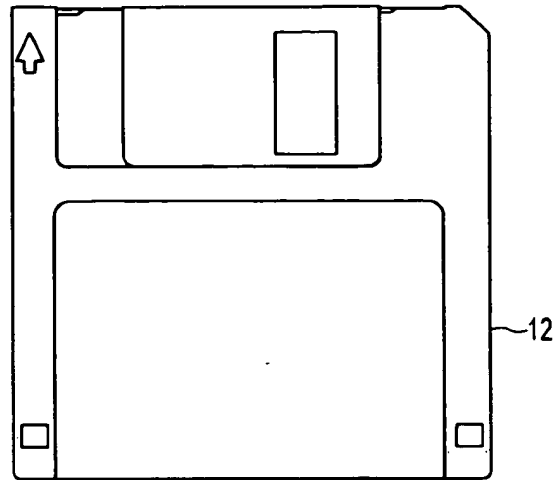


FIG. 2

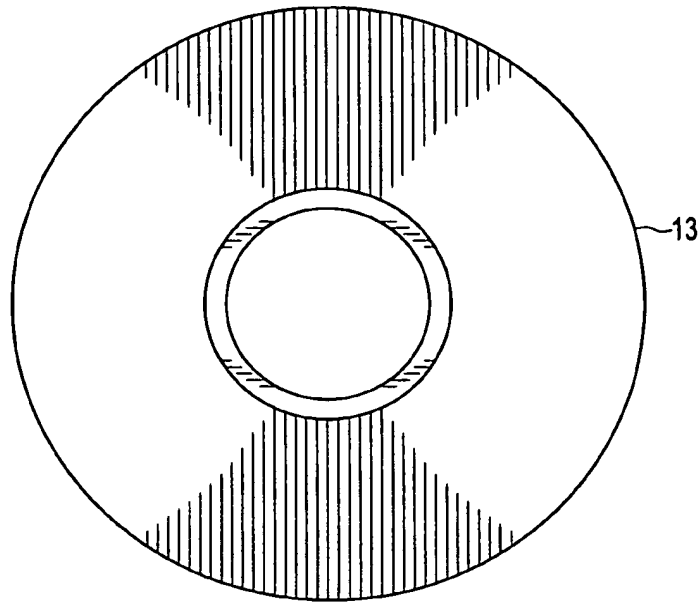


FIG. 3